01		
02		
03		
04		
05		
06	5	
07	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE	
08		
09	JOHN LEE FOX,	CASE NO. C12-1355-MJP-MAT
10	Plaintiff,	CASE NO. C12-1333-WM1-WA1
11	v.)	REPORT AND RECOMMENDATION
12	SHERIFF JOHN LOVICK,	
13	Defendant.	
14		
15	Plaintiff proceeds pro se in this 42 U.S.C. § 1983 civil rights matter. By Order dated	
16	September 19, 2012, the Court granted plaintiff an extension of time to submit an amended	
17	complaint correcting deficiencies in his proposed civil rights complaint. (Dkt. 6.) Plaintiff	
18	was to submit his amended complaint within sixty days of the Court's prior August 13, 2012	
19	Order. (Id.) However, on September 27, 2012, the Court's Order granting the motion for an	
20	extension of time was returned by the Postal Service as undeliverable. (Dkt. 7.) To date, the	
21	Court has received neither an amended complaint, nor an updated mailing address for plaintiff.	
22	Pursuant to Local Civil Rule 41(b)(2), plaintiff is required to keep the Court and	
	REPORT AND RECOMMENDATION PAGE -1	

opposing parties advised as to his current address. "If mail directed to a pro se plaintiff by the clerk is returned by the Postal Service, or if email is returned by the internet service provider, and if such plaintiff fails to notify the court and opposing parties within 60 days thereafter of his or her current mailing or email address, the court may dismiss the action without prejudice for failure to prosecute." Local CR 41(b)(2). Given plaintiff's failure to keep the Court and defendants apprised of his current mailing address, along with his failure to submit an amended complaint, the Court recommends dismissal of this action without prejudice for failure to prosecute. A proposed Order accompanies this Report and Recommendation. DATED this 3rd day of January, 2013. United States Magistrate Judge

REPORT AND RECOMMENDATION PAGE -2